

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q97096

Eiji AKIYAMA, et al.

Appln. No.: 10/594,891

Group Art Unit: 1745

Confirmation No.: 6603

Examiner: Monique WILLS

Filed: April 5, 2007

For: FUEL CELL

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on January 22, 2008:

REMARKS

A telephonic interview was conducted on January 22, 2008 between Applicant's representative, Andrew J. Taska, and Examiner Monique M. Wills of the United States Patent and Trademark Office.

During the interview, Applicant's representative pointed out that *at least* FIGS. 2A and 2B of the originally filed specification adequately support the recitation "wherein said opening/closing member is configured to cover said oxidizing agent electrode by changing its shape to close said oxidizing agent supply path," in claim 10. Applicant's representative also suggested that claim 10 could be amended to recite "wherein said opening/closing member is configured to cover said oxidizing agent electrode by changing its shape to close said oxidizing

agent supply path,” and that such amendments would satisfy the requirements of 35 U.S.C. § 112.

The Examiner was initially receptive to the above arguments but requested that Applicant submit such arguments in a formal response for full consideration. No agreement was reached regarding the immediate allowability of the pending claims.

No exhibits or demonstrations were provided.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

/ Andrew J. Taska /

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

Date: March 12, 2009

Andrew J. Taska
Registration No. 54,666